

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

KAREN TATUM,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:23 CV 1219 RWS
	)	
NORTH AMERICAN CENTRAL	)	
SCHOOL BUS LLC,	)	
	)	
Defendant.	)	

**MEMORANDUM AND ORDER**

Upon due consideration,

**IT IS HEREBY ORDERED** that plaintiff's motion to clarify [40] is denied as defendant's answer meets the pleading requirements of the Federal Rules of Civil Procedure, and plaintiff does not have leave to file a reply to the answer. *See* Fed. R. Civ. P. 7(a).

**IT IS FURTHER ORDERED** that within 21 days from the date of this order, the parties shall meet in accordance with Rule 16 of the Federal Rules of Civil Procedure to discuss the following: the nature and basis of the parties' claims and defenses; the possibilities for a prompt settlement or resolution of the case and the propriety of alternative dispute resolution; the formulation of a discovery plan; any issues relating to preserving discoverable information; any issues relating to disclosure or discovery of electronically stored information, including the form or

forms in which it should be produced, the topics for such discovery and the time period for which such discovery will be sought, the various sources of such information within a party's control that should be searched for electronically stored information, and whether the information is reasonably accessible to the party that has it, in terms of the burden and cost of retrieving and reviewing the information; any issues relating to claims of privilege; and, any other topics listed below or in accordance with Fed. R. Civ. P. 16 and 26(f).

This meeting is expected to result in the parties reaching agreement on the form and content of a joint proposed scheduling plan as described below. Only one proposed scheduling plan may be submitted, and it must be signed by all parties. It will be the responsibility of counsel for the defendant to actually submit the joint proposed scheduling plan to the Court. If the parties cannot agree as to any matter required to be contained in the joint plan, the disagreement must be set out clearly in the joint proposal.

**IT IS FURTHER ORDERED** that within 28 days of the date of this Memorandum and Order the parties shall file with the Clerk of the Court a joint proposed scheduling plan. **All dates required to be set forth in the plan shall be within the ranges set forth below for the applicable track:**

**Track 1: Expedited**

\*Disposition w/I 12 mos of filing

\*120 days for discovery

**Track 2: Standard**

\*Disposition w/I 18 mos of filing

\*180-240 days from R16 Conf. for  
discovery/dispositive motions

**Track 3: Complex**

\*Disposition w/I 24 mos of filing

\*240-360 days from R16 Conf  
for discovery/dispositive motions

**The parties' joint proposed scheduling plan shall include:**

(a) whether the Track Assignment is appropriate; **NOTE: This case has been assigned to Preliminary Track 2: (Standard).**

(b) dates for joinder of additional parties or amendment of pleadings;

(c) a discovery plan including:

(i) any agreed-upon provisions for disclosure or discovery of electronically stored information,

(ii) any agreements the parties reach for asserting claims of privilege or of protection as trial-preparation material after production,

(iii) a date or dates by which the parties will disclose information and exchange documents pursuant to Fed.R.Civ.P. 26(a)(1),

(iv) whether discovery should be conducted in phases or limited to certain issues,

(v) dates by which each party shall disclose its expert witnesses' identities and reports, and dates by which each party shall make its expert witnesses available for deposition, giving consideration to whether serial or simultaneous disclosure is appropriate in the case,

(vi) whether the presumptive limits of ten (10) depositions per side as set forth in Fed.R.Civ.P. 30(a)(2)(A), and twenty-five (25) interrogatories per party as set forth in Fed.R.Civ.P. 33(a), should apply in this case, and if not, the reasons for the variance from the rules,

(vii) whether any physical or mental examinations of parties will be requested pursuant to Fed.R.Civ.P. 35, and if so, by what date that request will be made and the date the examination will be completed,

(viii) a date by which all discovery will be completed (**see applicable track range**);

(ix) any other matters pertinent to the completion of discovery in this case,

(d) the parties' positions concerning the referral of the action to mediation or early neutral evaluation, and when such a referral would be most productive; and

(e) dates for filing any motions to dismiss or motions for summary judgment (**see applicable track range**).

**A case management order will be issued by the Court after the joint proposed scheduling plan is filed, and that case management order will set out the deadlines that apply to this case and must be followed by the parties. The Court will set this case for trial, if necessary, following the resolution of any**

**summary judgment motions. If no summary judgment motions are filed, the case will be set for trial after completion of discovery.**

A handwritten signature in black ink, appearing to read "Rodney W. Sippe", written over a horizontal line.

RODNEY W. SIPPEL  
UNITED STATES DISTRICT JUDGE

Dated this 19th day of August, 2024.